

OCT 9, 2002



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Applicants:

Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and Scott Siegel

Application No. 09/756,301

Group Art Unit: 1642

Filed: January 8, 2001

Examiner: Canella, K.

Confirmation No.: 5433

Title: ANTI-TNF ANTIBODIES AND PEPTIDES OF HUMAN TUMOR NECROSIS FACTOR

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CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202		
on <u>10-9-02</u>	<u>Linda M. Amato</u>	Signature
Date	Linda M. Amato	
Typed or printed name of person signing certificate		

### THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202 20231 20231

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or 10/16/2002 MMEKONEN 00000073 09756301  
01 FC:1806 180.00 OP  
(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

10/16/2002 MMEKONEN 00000073 09756301

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[ ] under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [ ] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- [ ] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[ X ] Enclosed herewith is form PTO-1449:

- [X] Copies of the cited references are enclosed.
- [ ] Copies of cited references are enclosed except those entered in prior applications, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. The earlier applications contains copies of the cited references.
- [ ] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- [X] The "concise explanation" requirement (non-English references) for references AN7 and AO7 under 37 CFR 1.98(a)(3) is satisfied by:
  - [ ] the explanation provided on the attached sheet.
  - [ ] the explanation provided in the Specification.
  - [ ] submission of the enclosed International Search Report.
  - [X] the enclosed English language abstracts and also reference AH2, which is a U.S. equivalent of reference AN7.

[X] Applicant requests that the following pending applications be considered:

Examiner's  
Initials

U.S. Patent Application No.10/227,488, by Junming Le, Jan Vilcek, Peter Daddona,  
John Ghayeb, David M. Knight and Scott Siegel, filed August 23, 2002 Docket No.:  
0975.1005-025

Examiner

Date

[X] The specification for the above cited co-pending application is identical to the present specification (09/756,301). Therefore, only a copy of the current claims for this application is enclosed. Copies of the specification of the co-pending application will be provided upon request.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[X] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated:

*October 9, 2002*